

MANDATE

S.D.N.Y.-N.Y.C.
10-cv-7318
Gardephe, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 31st day of May, two thousand twelve.

Present:

Ralph K. Winter,
Joseph M. McLaughlin,
Denny Chin,
Circuit Judges.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: May 31, 2012

Al Kowalski, AKA Kowalski Plumbing, *et al.*,

Petitioners,

v.

12-1503

Yellowpages.com, LLC,

Respondent.

Petitioners move, pursuant to Federal Rule of Civil Procedure 23(f), for leave to appeal the district court's order denying class certification. Upon due consideration, it is hereby ORDERED that the petition is DENIED, because an immediate appeal is unwarranted. *See Hevesi v. Citigroup Inc.*, 366 F.3d 70, 76 & n.4 (2d Cir. 2004) (*citing In re Sumitomo Copper Litig.*, 262 F.3d 134, 139-40 (2d Cir. 2001)).

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk




A True Copy

Catherine O'Hagan Wolfe, Clerk
SAO-CLP

United States Court of Appeals, Second Circuit




MANDATE ISSUED ON 05/31/2012